The City Council of the City of Raleigh met in regular session on Tuesday, January 3, 1984, at 1:00 p.m. in the City Council Chambers of the Municipal Building with the following present:

Mayor Upchurch, Presiding
Ms. Babb
Mrs. Block
Mr. Calloway
Mrs. Cates
Mr. Congleton
Mr. Keller
Mr. Walters

Mayor Upchurch called the meeting to order and invocation was rendered by the Reverend Thomas Collins, Pastor of Saint Mark's United Methodist Church after which the following items were discussed with action taken as shown.

CONSENT AGENDA

CONSENT AGENDA - APPROVED AS AMENDED

Mayor Upchurch presented the Consent Agenda, indicating all items are considered to be routine and may be enacted by one motion. If the Council requests discussion on an item, the item will be removed from the Consent Agenda and considered separately. He explained the vote on the Consent Agenda would be a roll call vote. Mr. Walters requested that the traffic item relating to truck routes be withdrawn. Mrs. Cates requested that the transfer relating to telephone equipment and installation be withdrawn. Without objection, these two items were withdrawn from the Consent Agenda. Mr. Calloway moved Administration's recommendation on the remaining items be upheld. His motion was seconded by Mr. Congleton and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

The items on the Consent Agenda were as follows:

POLICE DEPARTMENT - LAW ENFORCEMENT OFFICERS' RETIREMENT CONTRIBUTIONS - RESOLUTION ADOPTED

The State Retirement System has notified the City that approval has been received from the Internal Revenue Service of the State application for tax deferment of Law Enforcement Officers' Retirement contributions. Such action is now possible upon the adoption of an appropriate resolution by each employer. In July, 1982, a similar resolution was adopted by Council for non-LEO members and it is now appropriate to adopt such a resolution in behalf of LEO members. This provision would allow the federal income tax deferment on retirement contributions by employees until such time as benefits are received. Furthermore, the Retirement System notice indicates that adoption of the LEO resolution is now necessary in order to maintain tax deferment for non-LEO members.

Recommendation: It is recommended that the appropriate resolution be adopted by Council and made effective January 1, 1984. Consent Agenda approval - Calloway/Congleton - 8 ayes.

RESOLUTION NO. (1984) 425

LAW ENFORCEMENT OFFICERS' RETIREMENT SYSTEM
OF THE STATE OF NORTH CAROLINA
DEPARTMENT OF STATE TREASURER
RALEIGH 27611

A RESOLUTION TO ELECT A TAX SHELTER OF EMPLOYEES' CONTRIBUTIONS PAYABLE AS MEMBERS OF THE LAW ENFORCEMENT OFFICERS' RETIREMENT SYSTEM OF THE STATE OF NORTH CAROLINA

WHEREAS, the 1984 Session of the North Carolina General Assembly, by a duly ratified bill, enacted North Carolina General Statute 143-166(il) which, under the conditions specified therein, permits an employer participating in the North Carolina Local Governmental Employees' Retirement System or who administers some other trust qualified under Sections 401(a), 403(a) or 405(a) of the Internal Revenue code of 1954 as amended to tax shelter the contributions payable to this System by its employees who are members of this System to the same extent as an employer has elected to tax shelter contributions for all other employees who are members of another qualified trust; and,

WHEREAS, this employer is an employer participating in the North Carolina Local Governmental Employees' Retirement System with respect to its eligible employees or who administers some other trust qualified under Sections 401(a), 403(a) or 405(a) of the Internal Revenue Code of 1954 as amended; and,

WHEREAS, this employer has tax sheltered the contributions payable by its employees who are members of the North Carolina Local Governmental Employees' Retirement System or some other qualified trust and deems it desirable to tax shelter the contributions payable by its employees as members of the Law Enforcement Officers' Retirement System of the State of North Carolina.

NOW, THEREFORE, BE IT RESOLVED BY THE RALEIGH CITY COUNCIL in regular session, that effective the first day of January, 1984 the City of Raleigh elects pursuant to the provisions of North Carolina General Statute 143-166(il) to pick up and pay to

the Law Enforcement Officers' Retirement System of the State of North Carolina the contributions which would be otherwise payable to this System by its employees who are members of this System and to treat in all respects such contributions in the manner specified in said North Carolina General Statute 143-166(il).

TRANSIT TRANSFER FACILITY - GRANT AMENDMENT - AUTHORIZED - FUNDS APPROPRIATED

The original grant application for this project appears likely to be approved within the near future. However, this proposal did not include the extension of the pedestrian walkway to Wilmington Street which is being proposed at this time.

It would be appropriate to authorize submittal of a grant amendment to include the pedestrian walkway as part of the transit facility.

It would also be appropriate to transfer the City's 10 percent share of the original project to an expenditure account and to establish the budget for this project so property acquisition can commence upon official notice of the grant being approved. The City's 10 percent share is $142,522.90.

Recommendation: It is recommended that Council approve the submittal of the grant amendment. It is further recommended that the following budgetary action be approved:

Transfer of Funds

From:		
39-2-1000-0100	Council Reserve	$142,522.90
To:		
42-1-6000-0102	Off-Street Transit Facility	$142,522.90

Amendment to Budget Ordinance to Establish the Following Accounts:

Revenue Accounts:		
42-1-6000-0100	UMTA NC-05-0031	$1,140,183.20
42-1-6000-0101	State 84-C-01	142,522.90
42-1-6000-0102	City	142,522.90
		$1,425,229.00
Expense Accounts:		
42-2-6000-0101	Construction	$ 566,129.00
42-2-6000-0103	Right-of-Way	859,100.00
		$1,425,229.00

Consent Agenda approval Calloway/Congleton - 8 ayes. See Ordinance 259 TF 12.

ORDINANCE NO. (1984) 258

AN ORDINANCE TO AMEND THE 1983/1984 BUDGET ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the 1983/1984 Budget Ordinance be amended as follows to establish revenue and expense accounts for Off-Street Transfer Facility:

Revenue:	42-1-6000-0100	UMTA NC-05-0031	$1,140,183.20
	42-1-6000-0101	State 84-C-01	142,522.90
	42-1-6000-0102	City	142,522.90
			$1,425,229.00
Expense:	42-2-6000-0101	Construction	$ 566,129.00
	42-2-6000-0103	Right-of-Way	859,100.00
			$1,425,229.00

Section 2. That the 1983/1984 Budget be amended as follows to appropriate income from contracts associated with assumption of operation/maintenance responsibilities of Mini-City pump stations.

Revenue:	06-1-0070-0250	Mini-City-NCNB	$ 10,295.00
	06-1-0070-0251	Mini-City-NBSC	19,650.00
Expense:	06-2-7050-0701	Alarm System	$ 29,945.00

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED, AND WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.

RESOLUTION NO. (1984) 428

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects;

WHEREAS, the contracts for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs;

WHEREAS, it is required by the U. S. Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U. S. Department of Transportation requirements thereunder;

WHEREAS, it is the goal of the applicant that minority business enterprise be utilized to the fullest extent possible in connection with these projects, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services; and,

WHEREAS, the North Carolina Board of Transportation is willing to participate at the level of 10% of the total project cost:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA

1. That the Mayor and Director of the Department of Transportation are authorized to execute and file applications for a contract amendment on behalf of the City of Raleigh with the U. S. Department of Transportation, to aid in the financing of:

   a. The construction of an off-street transfer facility.

2. That the Mayor and Director of the Department of Transportation are authorized to execute and file with such application an assurance or any other document required by U. S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

3. That Don Blackburn, Director of Transportation is authorized to furnish such additional information as the U. S. Department of Transportation and the North Carolina Department of Transportation may require in connection with the application or the project.

4. That the Mayor and Director of the Department of Transportation are authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.

5. That the Mayor and the Director of the Department of Transportation are authorized to execute grant contract agreements on behalf of the City of Raleigh with the U. S. Department of Transportation and with the North Carolina Department of Transportation for aid in the financing of: The construction of an off-street transfer facility.

Adopted: 1/31/84

ENVIRONMENTAL EXCELLENCE PROGRAM - CONSULTANT SERVICES - L. A. WEAVER - APPROVED

In 1982, the City retained a consultant to aid the staff in identifying key areas for possible chemical spills and to identify control strategies. At this time, it is desirable to proceed to a Phase II in this effort which would involve a personnel protection study for the treatment plants and field personnel of the Utilities Department with focus on procedures for handling chemicals, equipment required for employees, and development of a training program for employees.

Funds are budgeted for this program which is expected to cost $7,650.

Recommendation: It is recommended that the Council approve retention of the consultant, L. A. Weaver, to perform this study at a fee not to exceed $7,650. Consent Agenda approval Calloway/ Congleton 8 ayes.

SANITARY SEWER EXTENSION - FRANKLIN-LEE HOMES - APPROVED CONDITIONALLY

The Council policy requires that extensions of utilities outside the City be approved by the Council.

This is a request from Franklin-Lee Homes to extend sanitary sewer main to serve a lot located at the southeast corner of the intersection of Ebenezer Church Road and Dewess Court. This property is located outside the City Limits. The request involves the installation of approximately 375 feet of 8-inch sewer main along Ebenezer Church Road.

Recommendation: It is recommended that the City Council approve this request subject to the requestee acquiring the necessary construction permits and approvals as well as any necessary easements. Consent Agenda approval - Calloway/Congleton - 8 ayes.

TAXICAB OWNER'S PERMITS - APPROVED ON SECOND AND FINAL READING

During the December 20, 1983 Council the following application for individual owners' permits were approved on the first reading with the understanding that they would be placed on this Agenda for second and final consideration: Ebony Cab Company - Otha Harrison Giles, Jr. and Curtis Donnell Robinson

Administration recommends approval on second and final reading. Consent Agenda approval - Calloway/Congleton - 8 ayes.

TAXICAB OWNER'S PERMITS - APPROVED ON FIRST CONSIDERATION - TO BE PLACED ON JANUARY 17, 1984 AGENDA

An application has been received from Dennis Wayne Robinson (Ebony Cab Company) to operate a taxi. The application has been checked and meets the requirements of Section 12-2053 of the City Code. Administration recommends approval on the first reading with the understanding the application would be placed on the January 17, 1984 Agenda for second and final consideration. Consent Agenda approval - Calloway/Congleton - 8 ayes.

LIMOUSINE SERVICE FRANCHISE - COMMUTER'S EXPRESS, INC. - APPROVED ON FIRST READING

An application has been received from Willie James Brewington, Jr., Wayne Edward Leechford and Ronnie Lee Haynes to operate Commuter's Express, Inc. The application is to operate a limousine service and it has been checked and meets requirements of the City Code. Administration recommends approval of the application on the first reading with the understanding the item will be placed on the January 17, 1984 Agenda for second and final consideration. Consent Agenda approval - Calloway/Congleton - 8 ayes.

PUBLIC UTILITIES - BUDGET AMENDMENT - ORDINANCE ADOPTED

The Agenda presented a budget amendment in the amount of $29,945.00 to appropriate income from contracts associated with assumption of operation/maintenance responsibilities of the Mini-City pump station. The Agenda outlined the revenue and expense accounts that would be affected and Administration recommends approval of the budget amendment as outlined. Consent Agenda approval - Calloway/Congleton - 8 ayes. See Ordinance 258.

E. M. JOHNSON WATER PLANT EXPANSION - CONTRACT REDUCTION ON VARIOUS CONTRACTS - APPROVED

This is a request to reduce the retainage from 10 percent to 5 percent for Roberts Filter Manufacturing Company and Bryant-Durham Electric Company. These two companies are working on the E. M. Johnson Water Plant expansion. Both firms have completed more than 80 percent of their work and the contract indicates that the retainage may be reduced to 5 percent after 80 percent completion of work tasks.

Recommendation: It is recommended that the Council approve this request. Consent Agenda approval - Calloway/Congleton - 8 ayes.

BOYLAN AVENUE BRIDGE - CHANGE ORDER #2 - APPROVED - FUNDS APPROPRIATED

The Agenda presented change order #2 - Wilson Construction Company - relating to Boylan Avenue Bridge. The change order is for an addition of $14,025. The Agenda outlined the reason for the change order and budget accounts that should be amended if the change order is approved. Administration recommends approval of the change order and the transfers as outlined. Consent Agenda approval - Calloway/Congleton - 8 ayes. See Ordinance 259 TF 12.

NEUSE RIVER RAW WATER PUMP STATION - CHANGE ORDERS - ORDINANCE ADOPTED

The Agenda presented change order #1 - J. W. Campbell Electric Company, which is an addition of $2,437 and relates to the Neuse River raw water pump station. The Agenda also presented change order #1 - Vicker's Construction Company (M & M Engineering), which was an addition of $7,865.98. The Agenda listed the reasons for the change orders and the budget accounts that would need to be amended if the change orders are approved. Administration recommends approval of the change orders as well as associated transfers. Consent Agenda approval - Calloway/Congleton - 8 ayes. See Ordinance 259 TF 12.

METHOD PARK IMPROVEMENTS - CHANGE ORDER #2 - APPROVED - FUNDS APPROPRIATED

The Agenda presented change order #2, J. C. Edwards Contractor and Engineering, Inc., relating to Method Park Improvements. The change order is an addition of $10,684. The Agenda listed the reason for the change order and the budget accounts that would need to be amended if the change order is approved. Administration recommends approval of the change order as well as associated transfers. Consent Agenda approval - Calloway/Congleton - 8 ayes.

TRANSFERS VARIOUS - ORDINANCE ADOPTED

The Agenda presented various transfers in the City Manager's Department and Community Development Department for purposes as stated therein with recommendation of approval. Administration recommends approval. Consent Agenda approval - Calloway/Congleton - 8 ayes. See Ordinance 259 TF 12.

BID REQUEST 83-38 - PAINTING OF WATER TANK - JOINT AWARD TO INTER-STATE CONTRACTING AND PAINTING COMPANY, INC. AND MAYNOR AND HENNESSEY PAINT COMPANY

Pursuant to advertisement as required by law, bids received and publicly opened in the office of the Purchasing Agent on December 13, 1983, for painting water tanks at the Fairgrounds and Six Forks Road with results as follows:

ITEM 1: Sandblasting and painting the Interior and Exterior of Fairgrounds' one million gallon water tank.

Inter-State Contracting & Coating Co., Inc.	$64,000.00
Maynor & Hennessey Paint Co.	80,850.00
G & S Painting	83,000.00
ABCO Industrial Painting	86,304.00
Charlotte Tank Lining Co.	86,494.00
Southern Corrosion, Inc.	92,350.00
Guard Corp.	98,090.00

ITEM 2: Sandblasting and painting the Exterior of Six Forks eight million gallon water tank.

Maynor & Hennessey Paint Co.	$48,200.00
ABCO Industrial Painting	49,947.00
Charlotte Tank Lining Company	53,270.00
Inter-State Contracting & Coating Co., Inc.	56,000.00
G & S Painting	56,000.00
Southern Corrosion, Inc.	57,950.00
Guard Corp.	83,610.00

Administration recommends that the interior and exterior painting at the Fairgrounds tank be awarded to Inter-State Contracting and Painting Company, Inc., and painting of the exterior of the Six Forks tank be awarded to Maynor & Hennessey Paint Company. Consent Agenda approval - Calloway/Congleton - 8 ayes.

BIDS - CITY OF RALEIGH AERIAL PHOTOGRAPHS TOPOGRAPHIC BASE MAPS - BID AWARDED TO GREENHORNE AND O'MARA, INC.

Bids were received for Aerial Photographs and Topographic/ Planimetric Base Maps, with the results as follows:

	36 Topographic & Planimetric Base Maps	Aerial Photographs	Total
Greenhorne and O'Mara, Inc. Greensboro, NC	$ 55,950.75	$ 7,531.65	$ 63,482.40
Kucera & Associates, Inc. Atlanta, GA	$ 89,650.00	$ 7,294.50	$ 96,944.50
Piedmont Aerial Surveys, Inc. Greensboro, NC	$137,270.00	$10,293.00	$147,563.00
Landmark Engineering Company Cary, NC	$ 65,650.00	$12,545.00	$ 78,195.00

Recommendation: It is recommended that the Council award the new topographic map contract to Greenhorne and O'Mara, Inc. Consent Agenda approval - Calloway/Congleton - 8 ayes.

PW 1983-10 - ROCK QUARRY ROAD ASPHALT BIKE TRAIL - BID AWARDED TO GELDER AND ASSOCIATES

Bids on Contract PW 1983-10 - Rock Quarry Road Asphalt Bike Trail - were received at 10:00 a.m., Tuesday, December 27, 1983, with the results as follows:

Gelder and Assoc., Inc.	$57,138.10
Gaither Contractors	$58,926.00
C. C. Mangum, Inc.	$63,596.70
Kirkpatrick Bros., Inc.	$74,373.10

Our estimate for this project was $55,140 which is 3.4 percent under the low bid. Our estimate per linear foot of $14.70 was based on the Glenwood Avenue Foot Path prorated to the 8' width. The low bidder's cost per foot of $15.44 is within reason.

Recommendation: It is recommended that the contract be awarded to the low bidder, Gelder and Associates, Inc., in the amount of $57,138.10. Funding for this project, according to Council action on August 16, 1983, Resolution 325TF7, is provided in the Miscellaneous Capital Improvement Funds. Consent Agenda approval - Calloway/Congleton - 8 ayes.

TRAFFIC - LANE CHANNELIZATION ON NAVAHO DRIVE AT WAKE FOREST ROAD - ORDINANCE ADOPTED

The Agenda presented a recommended change and lane channelization on Navaho Drive at Wake Forest Road with recommendation of approval.

Consent Agenda approval - Calloway/Congleton - 8 ayes. See Ordinance 257.

END OF THE CONSENT AGENDA

TRANSFER - TELEPHONE EQUIPMENT AND INSTALLATION - APPROVED; ADMINISTRATION TO HANDLE REMOTE CAPABILITIES ON INDIVIDUAL BASIS

The Agenda listed a transfer of $1,120 from City Council contingency to a telephone equipment and installation account to purchase and install message recorders. Mrs. Cates indicated she had requested that this item be removed from the Consent Agenda, pointing out she understands this is to purchase answering machines for City Council members. She indicated she questioned whether the City might consider equipment with remote control so that one may dial their home telephone to get messages from the recorder. She indicated she would like for staff to look into the possibility of buying equipment with that capability. City Manager Benton indicated the units that the City looked at and this transfer is for, doesn't include remote access like Mrs. Cates is explaining. He indicated the Administration could arrange for that feature if City Council members want it. He stated if the Council wanted to go ahead and approve the transfer to purchase the equipment, then Administration could work with Council members on an individual basis as to whether they wanted the remote capabilities or not. Mrs. Block questioned the difference in the cost with Mr. Benton indicating he had looked into the difference in the cost and understands it could be as much as $100 per unit on the unit Administration is looking at. Mrs. Cates indicated she had looked into it and the Radio Shack does have units with this capability that are not that much. She indicated she understood Administration was talking about a Panasonic and possibly there are cheaper units. Mr. Congleton suggested polling the Council to determine if they want the remote capability, pointing out he personally would not be interested in that. He indicated if Mrs. Cates is the only one that wants the remote capability, there may be enough money in this transfer to cover it.

Mr. Walters indicated he just does not understand what is being discussed, that this has never been explained or discussed at the City Council meeting and questioned what is being talked about as far as answering devices. City Manager Benton indicated at a recent meeting, Administration was asked to look into the possibility of purchasing this equipment rather than leasing it, as it appears to be cheaper to purchase it. Mr. Walters indicated he has been involved in City Hall for some 12 years and this is the first time he has ever heard about the availability of message recorders for City Council members. He stated if this type thing had ever been available before he thought he would have at least heard a rumor about it. He stated he had never known that it was available to Council members. City Manager Benton indicated the City does have a number of these units that were purchased in the early 70's and they have been used periodically by Council members who requested them. He indicated the units the City owns have become obsolete and the City basically quit using them. He stated there have been some requests for units by other Council members since the equipment has been deemed obsolete and those units have been leased. Lengthy discussion took place with Mr. Walters pointing out he feels if any Council member wants one of these, they should pay for it as he did not feel that taxpayers' money should be used. He stated he did not feel they were necessary. Mr. Congleton pointed out one of the reasons he made this request is he understood these recorders were made available to Council members and it costs $75 for installation, if rented, and $40 per month. He asked Administration to look into buying these at a recent Council meeting, pointing out if it was the tradition to use them he felt it would be cheaper for the City to buy them rather than rent, pointing out if one Council person used a rental unit, it would cost more than to buy units for all Council members. He indicated he would disagree with Mr. Walters comments relative to use, as he feels that they are very important. Therefore, he would move approval of the transfer and purchase of the telephone equipment with the understanding Administration would work with Council members individually as it relates to remote access. His motion was seconded by Ms. Babb.

Mr. Walters indicated he just did not understand as this is the first time he had ever heard that these recorders were available. He objected to tax money being used for providing telephone message recorders with Mr. Calloway pointing out if a person objects to them being installed on their phone, no Council would be made to have one and they have been used before, with Mr. Walters indicating he would question that. Ms. Babb indicated she had had one in her home since she had been on City Council as she understood that that was past practice. She indicated while she did not consider it essential to have one while serving on Council, she feels it has been very good, as a lot of people know that she has one and they can call and leave a message for her and to give their opinion on particular items relating to Council work, particularly zoning cases. She indicated it is a very convenient and efficient piece of modern technology and a very effective way of getting input on issues before the Council. Mr. Walters indicated again he would object to the City paying for this equipment. Mrs. Cates indicated she has had one on her phone at home that was loaned to her during the campaign. She pointed out it is a very effective tool and explained if we are going to buy this equipment, it will be used by this Council as well as future City Councils and she would like for the City to consider going ahead and purchasing the equipment with remote accessibility. The motion, as stated, was put to a vote, which resulted in all members voting in the affirmative except Mr. Walters and Mrs. Cates who voted in the negative. The Mayor ruled the motion adopted. See Ordinance 259 TF 12.

TRAFFIC - THROUGH TRUCK ROUTES - MAP ADOPTED

The Department of Transportation recommends that Traffic Schedule #10, dealing with Through Truck Routes, be revised from its current narrative form to a map form graphically depicting these routes.

The narrative form of this Traffic Schedule has proven to be lengthy, cumbersome, and an impractical way to describe the various Through Truck Routes in the City.

The Through Truck Route Map indicates all the U.S., N.C., and Interstate routes in Raleigh. It presents the Through Truck Route System in a clear, concise manner which leaves no room for misinterpretation.

This recommendation will result in no changes in the Through Truck Route System, only the way in which it is presented. If this recommendation is approved, the map will be entitled "Official Traffic Schedule No. 10, Through Truck Routes" and inserted into the City Code Schedules as called for in Code Section 11-2132(b).

Mr. Walters indicated that he had asked that this be withdrawn from the Consent Agenda, pointing out maps have a way of becoming official documents. He indicated we had had problems with maps becoming the official zoning documents and the map being in conflict with the actual ordinance. He indicated he would suggest holding this item or adding some language to say that the map is representative of the actual ordinance with City Manager Benton indicating under this proposal, this map would be the actual regulation. Lengthy discussion took place with Mr. Walters explaining problems we have had with the official zoning maps and where some draftsman put a line in the wrong place and changed zoning. He stated this could happen with the maps relating to truck routes also. He stated he feels that we should leave the ordinance like it is and have a map in the Clerk's Office as an illustration of the truck routes, but if there is a conflict, then the ordinance passed by the City Council would be the prevailing legislation. Mrs. Block indicated she understood Mr. Walters' concern and there were problems with the official zoning map, but she thinks that if we made it clear that either the map or the ordinance has priority, she does not see the problem. She indicated she would like for the City to make available to the trucking concerns, small maps showing where the truck routes are so that they can keep the trucks out of the areas they should not be in.

Department of Transportation Director Blackburn indicated in the Code, the truck routes take up some 72 paragraphs of narrative to describe the truck routes and the various combinations. He indicated they wanted to send maps and in checking the narrative did find some errors. He indicated they felt it would be much simpler to put the truck routes on a map, pointing out he appreciates what Mr. Walters is saying but the likelihood of an error in showing a truck route is not as probable with truck routes as it would be zoning cases. Mr. Blackburn indicated this relates to numbered routes and truck routes for 18 wheelers and does not cover the local truck routes. He indicated to make a narrative stand up in court it has to be very specific and we have to show every possible combination of a route through the City. He stated there are so many possibilities and combinations that it makes a narrative very complex, long and hard to understand. After lengthy discussion, Mrs. Block moved that the revision to Traffic Schedule #10, as outlined by the Department of Transportation be approved. Her motion was seconded by Mr. Congleton and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 257.

ORDINANCE NO. (1984) 257

AN ORDINANCE TO AMEND THE TRAFFIC SCHEDULE OF THE CITY OF RALEIGH

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Schedule No. 6B2 entitled "CHANNELIZATION" be amended by adding the following:

Navaho Drive, eastbound at Wake Forest Road, 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.

Section 2. That Schedule No. 6B3 entitled, "CHANNELIZATION" be amended by adding the following:

Navaho Drive, eastbound at Wake Forest Road, 9:00 a.m. to 4:00 p.m. and 6:00 p.m. to 7:00 a.m.

Section 3. That Schedule No. 10 entitled "THROUGH TRUCK ROUTES" be amended by deleting the current narrative descriptions of locations and adding in their place a map entitled "OFFICIAL TRAFFIC SCHEDULE NO. 10, THROUGH TRUCK ROUTES," dated January 10, 1984

Section 4. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. That this ordinance shall become effective January 10, 1984.

Adopted: 1/3/84

Effective: 1/10/84

ORDINANCE NO. (1984) 261

AN ORDINANCE TO AMEND CHAPTER 11-2132(b) OF THE CODE OF THE CITY OF RALEIGH ENTITLED TRANSPORTATION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Section 11-2132(b) of the Code of the City of Raleigh entitled "Through Truck Routes" be amended and made to read as follows:

> (b) Through truck routes. Through truck routes as defined herein are established for the passage of through trucks as defined herein, over the streets and highways within the City, according to map entitled "Official Traffic Schedule No. 10, Through Truck Routes".

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective January 10, 1984.

Adopted: 1/3/84

Effective: 1/10/84

SPECIAL ITEMS

PA-191 - IBM BUILDING - APPROVED WITH CONDITIONS

This was a request for approval to construct a 230,000 square foot office building on a 22.5 acre parcel which is undeveloped and zoned Office and Institution-III, Office and Institution-II, and Conservation/Buffer. The proposed site is within the Office and Institution-II portion of the lot. The site has been approved for a two lot subdivision but is not yet recorded. The property is located at the eastern end of St. Albans Drive, east of Six Forks Road, inside the City Limits.

CR-4003 from the Planning Commission recommended that this item be approved according to a map entitled, "IBM-Raleigh," the property of Southwind, Limited, drawn by Parrish and Associates and Stevens Wilkinson, Inc., dated October 27, 1983, with the condition that the landscaping and grading plans be revised to retain existing trees in Areas 1 and 2 for screening along the Beltline.

During the December 20, 1983, Council Meeting, Mayor Upchurch requested that this item be deferred until this meeting to give Administration an opportunity to work on the road alignment question.

Mr. Upchurch indicated he had requested that this item be deferred until this meeting and he would propose that the City Council approve the plan approval as recommended by the Planning Commission and with the further condition that the City Council approve an agreement with North Raleigh Properties (NRP) to provide for the construction of New Hope Church Road from its current terminus west of Wake Forest Road, westward to the property line of North Raleigh Properties. The terms would be:

1. City will design road.
2. City will obtain necessary easements and rights-of-ways. North Raleigh Properties will guarantee that the City's cost will not exceed $85,000.
3. City will construct the road according to City's standards.
4. North Raleigh Properties will pay to the City the total cost of the cost of the road improvements prior to the bids being awarded. Sidewalk improvements would not be made at this time.
5. City will design and install a water line in the affected street.
6. City will assess the projects under City policies and will pay to North Raleigh Properties the amount collected for the road improvements from abutting property owners.

Mr. Upchurch indicated he would accept a motion to approve the plan approval with these conditions. Mr. Congleton moved PA-191 be approved as recommended by the Planning Commission in CR-4003 and approval of the proposed agreement, as read by the Mayor. His motion was seconded by Mr. Keller and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

PLANNING COMMISSION - RECOMMENDATIONS FOR DENIAL WITHOUT PREJUDICE - NOT TO BE ACCEPTED

During the Council Meeting on December 20, 1983, Mr. Walters presented the following recommendation:

> "I move that the Council no longer accept recommendations from the Planning Commission which recommend an action without prejudice and that from now on the Council and the public rely on the provisions of Section 10-2113 of the Code which was enacted to cover the situations in which proponents need to refile a case before the waiting period has expired."

The Council deferred action on this item and asked that it be placed on this Agenda for consideration.

Mr. Walters indicated he did present this at the last meeting and would simply move approval as outlined on the Agenda. His motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

COMMITTEES, COMMISSIONS AND BOARDS

YOUTH COUNCIL ADVISORY BOARD - NOMINATIONS MADE

The City Clerk reported one vacancy on the Youth Council Advisory Board as the term Martha Keravouri expired December 22, 1983. She is not eligible for reappointment because of length of service. No nominations have been made. Mrs. Block nominated E. G. (Gib) Honeycutt. Mrs. Cates nominated Betty Joe Tyndall. No further action was taken.

HOUSING APPEALS BOARD - NOMINATIONS MADE

The City Clerk reported one vacancy for an alternate member of the Housing Appeals Board as a result of a recent ordinance change enlarging this board. No nominations have been made. Mrs. Block nominated Glenn Plott. No further action was taken.

PLANNING COMMISSION - MALCOLM WILLIAMS REAPPOINTED

The City Clerk reported the term of Malcolm Williams expires January 5, 1984. Nominations include Mr. Williams, John Sherbert and Geoffrey Simmons. Nominations have been closed.

A ballot vote resulted as follows: Sherbert - 4 (Walters, Upchurch, Babb, Keller); Williams - 4 (Block, Calloway, Cates, Congleton). Since no member received five votes, a second ballot vote was taken with results as follows: Sherbert - 3 (Walters, Keller, Babb); Williams - 5 (Calloway, Cates, Block, Congleton, Upchurch). The City Clerk announced the reappointment of Malcolm Williams to a two year term on the Planning Commission.

GREENWAY COMMISSION - PAUL THOMPSON AND TOM QUAY - APPOINTED

The City Clerk reported the term of Jud Ammons expires February 5, 1984. The term of David Mallette, Sr., expires February 18, 1984. It has been indicated Mr. Mallette does not wish to be reappointed. Nominations include Paul Thompson, Jud Ammons, Charles Meeker and Tom Quay. Nominations have not been closed. Mr. Upchurch indicated Mrs. Cates had said Mr. Ammons does not wish to continue to serve and since he nominated Mr. Ammons and if that is the case, he will withdraw Mr. Ammons' name. Mrs. Block moved that nominations to the Greenway Commission be closed. Her motion was seconded by Mrs. Cates and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

Prior to taking a vote, each person who nominated a candidate gave some information on their background. A ballot vote resulted as follows: Thompson - 6 (Congleton, Upchurch, Babb, Keller, Calloway, Walters); Meeker - 4 (Babb, Cates, Calloway, Block); Quay - 6 (Walters, Block, Cates, Keller, Upchurch, Congleton). The Clerk announced the appointment of Tom Quay and Paul Thompson to a two year term on the Greenway Commission.

MAYOR'S COMMITTEE ON SERVICES TO THE HANDICAPPED - INFORMATION RECEIVED; ADMINISTRATION TO LOOK INTO ENFORCEMENT OF HANDICAPPED PARKING

The City Clerk indicated a number of terms are expiring on this committee and during the last meeting, it was agreed that the Mayor would meet with the chairman of the committee and present a suggested membership slate with the understanding Council members could add to that slate and then the whole committee would be confirmed by the Council. Mr. Upchurch indicated he plans to meet with the chairman of this committee within the next couple of weeks and would have a report.

Mrs. Block indicated she is aware that handicapped parking spaces in various shopping center lots are frequently marked only with paint and that wears off and other people utilize the parking spaces. She indicated she has a handicapped friend who likes to do her own shopping and in many cases cannot find a handicapped parking space. She questioned if the City enforces these in private lots, with City Manager Benton indicating the City does enforce the handicapped parking in private lots. He indicated Administration would be glad to investigate, pointing out if Mrs. Block has a specific location that could be targeted for special enforcement. The Chairman of the Mayor's Committee on Services to the Handicapped, Bob Sexton, indicated it is extremely difficult to enforce. Mrs. Block pointed out she did not see why it would be difficult to enforce as anyone utilizing a handicapped space must have a special tag on their car. Administration was asked to look at better enforcement on handicapped parking spaces.

HUMAN RESOURCES AND HUMAN RELATIONS ADVISORY COMMITTEE - MEMBERSHIP INCREASED TO TWELVE - NOMINATIONS MADE

The City Clerk indicated Peter Andrews who was recently reappointed to this committee indicated he does not wish to continue to serve as he has already served two consecutive terms, therefore, there is one vacancy. Dr. Ann McGee has been nominated and nominations have not been closed. Mrs. Cates nominated Mable Dorsey. Mr. Calloway nominated Reverend Reather Whitley.

Ms. Babb indicated that this board is predominately filled with males. She indicated the three people who have been nominated are very good nominees and are all coming from a different perspective. She indicated she would like to increase the number of positions by two so that all of these people could be appointed. Therefore, she moved that the membership on the Human Resources and Human Relations Advisory Committee be enlarged by two and accept these three nominees. Her motion was seconded by Mr. Calloway. Mr. Walters indicated he sees no problem in increasing the membership but someone else may have nominations. Brief discussion took place and Ms. Babb restated her motion to increase the membership of the Human Resources and Human Relations Advisory Committee to twelve. Her motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

ORDINANCE NO. (1983) 260

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CODE OF THE CITY OF RALEIGH ENTITLED "HUMAN RESOURCES"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Section 4-3003 of the Code entitled "Composition of Committee" (Human Resources and Relations Advisory Committee) be amended and made to read as follows:

> "The Human Resources and Relations Advisory Committee shall be composed of twelve (12) persons....."

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective upon the date of adoption.

Adopted: 1/3/84

Effective: 1/3/84

It was agreed to hold nominations to the Human Resources and Human Relations Advisory Committee open until the next meeting.

Mr. Congleton indicated he had asked the City Clerk to provide him some information on various committees, commissions and boards. He stated in his opinion, it would be helpful when we have a vacancy coming up on a particular board, that the Council be provided information such as a breakdown on the Committee such as black, white, male, female, over sixty, handicapped, etc. The City Clerk indicated this request has been made by Mr. Congleton and she is trying to put together the information but does have some problem, particularly as it relates to handicapped, as what constitutes a handicap. She indicated age is another problem and she is putting together the information as best possible. She indicated it would be good if when a person is nominated, that information could be given. Mr. Congleton suggested revising the nomination ballot to include such information. Mrs. Block indicated she did not mind having this information but did not want to see us go to a quota system. She stated she feels that the people who are best qualified to serve on a committee should be the ones appointed and not people appointed just to fill a particular quota. Mr. Congleton indicated he agreed whole-heartedly and he was not asking for this information to make appointments by quota. He indicated in a case this afternoon there were three nominees and he really had no preference between the three nominees and his vote might have been swayed one way or another depending on the make up of the committee whether it was all male, female, young, old or whatever. He stated maybe we should even look into getting appointments from different jurisdictions. No further action was taken.

REPORT AND RECOMMENDATION OF THE CITY MANAGER

CITY COUNCIL MEETING - MARCH 6, 1984 - CANCELLED

The annual conference of the National League of Cities in Washington, D. C., is scheduled for March 3-6, 1984. It is understood that Council Members will be in attendance.

Please note that Tuesday, March 6, is a regular Council Meeting date. The conference agenda usually involves no specific program, but is for visiting the Congressional Offices.

Recommendation: Council may wish to consider retention of the regular meeting date or alter the date if the Council plans to be in Washington on March 6.

Mr. Upchurch indicated he had no real preference but in talking with Administration, it is felt that this meeting which is the March 6 meeting could be rescheduled for March 7. Mr. Walters questioned why we did not cancel the meeting. He indicated if something came up that needed to be discussed, the Council could always call a meeting. He stated rather than disrupt the schedule, he feels that we should just skip the meeting and go to the next meeting. He indicated for many years and up until about five years ago, we only had an afternoon meeting on the first Tuesday and

a night meeting on the fourth Tuesday. He stated he really saw no need of changing the schedule and he would move that the first City Council meeting in March be cancelled. His motion was seconded by Mr. Keller and passed unanimously. The Mayor ruled the motion adopted.

MINI CITY STREET LIGHTING - MEMORANDUM OF AGREEMENT - APPROVED

On June 16, 1983, the City Council requested that CP&L work with the City to provide for maintenance of the high pressure sodium vapor lighting system installed in the Mini City area by the developer. Administration has been working with CP&L on a mutually satisfactory arrangement and agreement has been reached which provides:

(1) That the City's previous agreements with North Boulevard Industrial Park (NBIP), which provided financial security to the City, will remain in effect until the entire system is completed and accepted by CP&L;

(2) That future installation of lights by NBIP and CP&L will be at the direction of the City;

(3) That the system will be accepted or installed and accepted by CP&L with required initial costs being borne by the NBIP, including the standard developer payment to the City to offset ornamental pole charges by CP&L; and

(4) That the City, after acceptance of any part of the system, will assume CP&L charges for operation of the system in accordance with the CP&L letter of August 29, 1983.

A copy of the proposed agreement was included in the Council Members' Agenda packet. In summary, it provides that the remainder of the lighting system be installed and/or paid for by NBIP, that ownership of the system be transferred to CP&L, and that the City not have any costs associated with this lighting system other than those normally borne by the City for street lighting.

City Manager Benton gave a brief history of this item starting in the 70's when it was the desire of the developer to have a different and better street lighting system and the City entered into an agreement with the developer that the City wouldn't incur additional costs when the area is annexed. He indicated back in the summer the City Council wrote to CP&L relative to this agreement and taking over the maintenance of the street lights. He indicated this is a three party agreement that is recommended by Administration. Mr. Walters indicated he feels that this is a good memorandum of agreement, pointing out he brought this item to the City's attention and he appreciates Administration working so diligently on the item. He moved approval of the memorandum of agreement as outlined. His motion was seconded by Mr. Keller and put to a roll call vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

STREET LIGHTING COST REDUCTION - REFERRED TO JANUARY 19 WORK SESSION

Pursuant to Council approval, the consulting firm of Touche Ross and Company has been preparing a study to identify actions the City could take to reduce ongoing street lighting costs. It is expected that the consultant's report will be completed by January 10, 1984. The contract calls for the consultant to make presentations to the City Council and a Council committee. Because of the detailed nature of the study and the policy implications, it may be appropriate to have the report presented at the next Work Session which would be January 19, 1984.

Recommendation: It is recommended that this item be referred to the January 19, Work Session for consideration.

City Manager Benton explained this item and pointed out this study should be concluded in the next few weeks and it has general applications Citywide. He indicated Administration is suggesting that this item be referred to the January 19 Work Session and Administration would arrange for the consultant to be present at to make the report at that time. Without objection, the item was referred to Work Session.

BIDS - POOL BLANKET FOR OPTIMIST PARK - BID AWARDED TO RECREONICS, CORPORATION - FUNDS APPROPRIATED

Pursuant to advertising as required by law, bids were received and publicly opened in the office of the Purchasing Agent on January 3, 1984 for a pool blanket and storage reels for Optimist Park Pool. with results as follows: Recreonics, Corporation - $20,397.30; William M. Smith and Associates - $21,255; Kiefer Pool Equipment Company - $23,589.38.

City Manager Benton indicated this is an effort to control or constrain the cost of energy for heating the pool at Optimist Park. He indicated heated pools loose heat at night and the energy cost for heating the pool is very high and this is an effort to reduce the energy cost. He indicated if we could reduce the energy costs for heating the pool by 10%, this blanket would pay for itself in 10 years. He indicated estimates show that it will save more than 10% in energy costs and based on that, he would recommend approval of the bid and the appropriate transfers to purchase the blanket. Mrs. Block questioned why we did not ask someone who has used one of these blankets. Mr. Benton indicated Administration has contacted several pool operators who utilize this blanket and some say the cost savings is in the range of 20% and

some say it is up to 40%. He indicated everyone agrees it will save money. Mr. Calloway moved approval of the bid of Recreonics, Corporation and the appropriate transfer of funds. His motions was seconded by Mrs. Cates and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 259TF12.

TRANSIT TRANSFER FACILITY - STUDY OF ALTERNATIVE PARKING DECK PLANS - FUNDS APPROPRIATED FOR ASSISTANCE BY WILBUR SMITH ASSOCIATES

The master plan for the Transfer Facility includes a parking deck. Several alternatives have been suggested and Administration was requested to evaluate each one. Consultant assistance is needed to perform the evaluation and it is suggested that the Transfer Facility consultant be retained to provide assistance in this analysis.

Recommendation: It is recommended that the firm of Wilbur Smith Associates be retained to provide the proposed assistance with a fee based on actual cost not to exceed $7,000. A fund transfer as follows would be necessary:

From:
34-2-3802-0100-0000 Bridges & Office Space $7,000.00

To:
34-2-3920-0102-0000 Consultant Services $7,000.00

City Manager Benton explained this proposal, pointing out the City feels that we need expertise in looking at the various alternatives and that is why Administration is recommending that we retain Wilbur Smith to provide us with the additional expertise in evaluating these alternatives. He indicated the evaluation will be in parking decks, locations, etc., and would also look at traffic designs, the physical structure of the parking deck, etc. He explained we are looking at three alternatives for the parking deck and it was felt this additional expertise is necessary. Ms. Babb moved that Administration be authorized to contract with Wilbur Smith and Associates for the assistance and the associated transfer of $7,000. Her motion was seconded by Mrs. Cates and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 259 TF 12.

ORDINANCE NO. (1984) 259 TF 12

WHEREAS, it appears desirable and for the best interest of the City of Raleigh and its citizens that funds in the amounts hereinafter set forth heretofore appropriated as set forth in the appropriations ordinance adopted June 21, 1983, and included in the budget for the fiscal year ending June 30, 1984, be transferred from one account as permitted and authorized by the General Statutes of North Carolina, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the amounts hereinafter set forth be and are hereby transferred for the purpose shown:

	CODE ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From	34-2-3802-0000	Bridges & Office Space	$7,000.00
To	34-2-3920-0102	Consultant Services	7,000.00

Purpose: To provide funds to retain Wilbur Smith Associates for assistance in evaluating the alternatives for the Transfer Facility Parking Deck.

From	37-2-1000-0100	Council Reserve	$20,397.30
To	37-2-1122-0104	Heat Blanket	20,397.30

Purpose: To purchase a pool heat blanket, related storage devices, protectors, and repair kit for Optimist Pool.

From	01-2-1040-0001	Council Contingency	$1,120.00
To	01-2-1100-0704	Telephone Eqpt. & Inst.	1,120.00

Purpose: Purchase and installation of message recorders.

From	01-2-1040-0001	Contingency	$1,751.00
To	01-2-1180-0265	Other Services	1,751.00

Purpose: To pay moving expenses for Cable Administrator.

From	43-2-8050-0300	Urban Renewal	$32,776.52
From	43-2-8050-0302	Urban Renewal Admin.	4,292.59
To	43-2-8080-0301	South Park (L&G)	37,069.11

Purpose: To provide additional rehab funds by closing unused urban renewal funds.

From	43-2-5052-0102	Relocation/DTE	$5,000.00
To	43-2-5052-0101	Demolition/DTE	5,000.00

Purpose: To provide funds to continue our demolition program in Downtown East/Eastside Redevelopment Program.

CODE	ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From	37-2-1135-0400	Method Park	$10,864.00
To	37-2-1135-0100	Method Park	10,864.00

Purpose: Change Order - Method Park Improvements - J. C. Edwards Contr. & Eng., Inc. - #G-2.

From	43-2-9010-0261	Indirect Cost Alloc.	$20,589.00
	43-2-9020-0301	Prop. Maint.	170.00
	43-2-9040-0301	South Park St. "A"	1,362.76
	43-2-9040-0302	Phase II, St. Imp.	261.94
	43-2-9043-0300	Davie Street Eng.	2,510.00
	43-2-9060-0300	Rehab for Resale	16.71
	43-2-9070-0301	Rehab Consultants	4,500.00
	43-2-9070-0302	Rehab Warranty	3,868.74
	43-2-9080-0300	Contingency	3,535.87
	43-2-9100-0240	Print & Reprod.	2.50
	43-2-9100-0260	Office Supplies	32.60
	43-2-9170-0300	House Moving	3,081.12
	43-2-9180-0300	Conservation Areas & PRI	2,988.06
			$42,919.30
To	43-2-9070-0300	Rehab Loans/Grants	$42,919.30

Purpose: To provide additional rehab funds by consolidating miscellaneous unencumbered and uncommitted balances.

From	43-2-4010-0100	Salaries	$2,879.90
	43-2-4010-0213	Reg. & Sub.	4.35
	43-2-4010-0226	Repairs to Equip.	40.00
	43-2-4010-0228	Postage & Tele.	2,620.13
	43-2-4010-0229	Advertising	18.31
	43-2-4010-0230	Motor Veh. M&O	102.26
	43-2-4010-0231	Travel	327.87
	43-2-4010-0232	Rent	726.76
	43-2-4010-0240	Print & Reprod.	846.22
	43-2-4010-0260	Office & Other	45.76
	43-2-4090-0100	Salaries	890.59
	43-2-4090-0101	Fringes	637.95
	43-2-4090-0213	Reg. & Sub.	290.00
	43-2-4090-0226	Repairs to Equip.	23.85
	43-2-4090-0228	Postage & Tele.	279.00
	43-2-4090-0229	Advertisement	981.01
	43-2-4090-0230	Motor Veh. M&O	38.78
	43-2-4090-0231	Travel	285.15
	43-2-4090-0236	Equip. Rent	128.00
	43-2-4090-0240	Print & Reprod.	248.98
	43-2-4090-0260	Office & Other	377.53
	43-2-4090-0700	Equipment	2.25
			$11,794.65
To	43-2-4010-0261	Indirect Cost Alloc.	$11,794.65

Purpose: To provide partial funding for FY 82-83 by closing misc. unobligated balances.

From	43-2-4020-0101	Property Maintenance	$ 818.65
	43-2-4060-0102	Tri-Party Agreement	1,716.00
	43-2-4080-0100	Contingency	152.44
	43-2-4100-0100	Salaries	386.80
	43-2-4100-0101	Fringes	487.65
	43-2-4100-0231	Travel	78.74
	43-2-4100-0232	Rent	1,999.24
	43-2-4100-0240	Print & Reprod.	145.94
	43-2-4100-0260	Office Supplies	123.98
	43-2-4100-0261	Other	250.00
	43-2-4120-0101	Fringes	21.17
	43-2-4120-0200	Accounting	202.88
	43-2-4120-0229	Legal Ads	11.22
	43-2-4120-0231	Travel	3.34
	43-2-4120-0239	Insurance	3.10
	43-2-4130-0100	Salaries	175.46
	43-2-4130-0101	Fringes	21.76
	43-2-4130-0231	Travel	23.25
	43-2-4130-0239	Insurance	7.90
	43-2-4140-0100	Salaries	27.76
	43-2-4140-0101	Fringes	68.72
	43-2-4140-0229	Legal Ads	226.16
	43-2-4140-0231	Travel	24.52
	43-2-4140-0239	Insurance	23.80
	43-2-4150-0100	Salaries	41.23
	43-2-4150-0101	Fringes	11.15
	43-2-4150-0229	Legal Ads	73.04
	43-2-4150-0231	Travel	3.32

CODE ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
To 43-2-4010-0261	Indirect Cost Alloc.	$7,129.22

Purpose: To provide partial funding for FY 82-83 Indirect Cost Allocation by closing miscellaneous unobligated balance.

From	43-2-4170-0100	Code Enforcement	$10,322.70
	43-2-4200-0100	Salaries	61.31
	43-2-4200-0101	Fringes	31.42
	43-2-4200-0237	Auto Reimb.	3.50
To	43-2-4010-0261	Indirect Cost Allocation	7,678.13
	43-2-4050-0100	ED-Acquisition	2,740.80

Purpose: To complete funding of indirect cost allocation for FY 82-83 and provide additional acquisition funds by closing miscellaneous unobligated balances.

From	84-2-1650-0000	Raw Water Main	$7,865.98
To	84-2-1640-0101	Raw Water Pump Sta - Gen.	7,865.98

Purpose: Change Order - Neuse River Raw Water Pump Station - Vickers Construction Co. (M & M Engineering).

From	84-2-1650-0000	Raw Water Main	$2,437.00
To	84-2-1640-0301	Raw Water Pump Sta - Elect	2,437.00

Purpose: Change Order - Neuse River Raw Water Pump Station - J. W. Campbell Electrical Corp.

From	30-2-3000-0103	Boylan Ave. Bridge	$4,500.00
	30-2-1000-0100	Council Reserve	9,525.00
To	30-2-3000-0100	Boylan Ave. Bridge Const.	14,025.00

Purpose: To provide funding for additional work for Boylan Avenue Bridge Project.

From	39-2-1000-0100	Council Reserve	$142,522.90
To	42-1-6000-0102	Off-Street Transit Facility	142,522.90

Purpose: To provide local matching funds in support of Off-Street Transit Transfer Facility.

REPORT AND RECOMMENDATION OF THE CITY ATTORNEY

YORK-HANNOVER AGREEMENT - NO REPORT MADE

The Agenda indicated a report may be made on the York Hannover agreement covering construction of the office building in the 400 block of the Fayetteville Street Mall. City Attorney McCormick indicated he received the agreement on Friday of last week and he and the City Manager have looked at it but they are not ready to make a recommendation. The item was received without comment.

REPORT OF MAYOR AND COUNCIL MEMBERS

SHELTER FOR HOMELESS - COMMENTS RECEIVED

Mayor Upchurch indicated we have the unfortunate experience of having two deaths in our City during the recent cold weather. He indicated this is very unfortunate but he feels the Police had done
everything they could to prevent such an occurrence. He indicated there were shelters near where both bodies were found that had empty beds. He indicated he intends to keep working on this matter and plans to work with the Human Resources and Human Relations Advisory Committee in trying to mobilize the community in a volunteer effort to deal with this situation. He indicated there are shelters available and he doesn't feel that this is something that can be legislated, it is something that is going to take the community's effort. He indicated the shelter being proposed on South Blount Street will be coming before the City Council soon and that may help the situation but he did not feel that it would have helped save these two people.

FALLS LAKE ISSUE - INTERGOVERNMENTAL COMMITTEE ASKED TO DISCUSS

Mayor Upchurch indicated during the past month, much discussion has occurred concerning protection of water quality in Falls Lake. Each local government is reviewing its role and responsibilities and assuring that reasonable steps are taken. Raleigh and Wake County have contiguous planning areas in the Falls Basin. He stated in addition, our City boundaries and utility areas are near the Falls Basin area under the planning jurisdiction of the County. He stated it is timely and appropriate that the City and County discuss together our views and how to best protect this valuable resource. He indicated we in the City have a Technical Advisory Committee which is meeting and will soon be reporting back to the Council. He stated we also need to review how our efforts relate to the action being planned by the County. He stated that he would request that the Intergovernmental Committee include this item in their upcoming meeting with the County Commissioners and keep the Council informed of the discussions. He indicated the City has a dedicated effort underway to protect this valuable resource and it seems like the County is still approving plans for the area, saying they have done all that they can. He indicated he would ask the Intergovernmental Committee to discuss this as soon as possible. The comments were received.

CHAMBER OF COMMERCE - REQUESTS FOR PROMOTIONAL FUNDS - REFERRED TO THE LAW AND FINANCE COMMITTEE

Mayor Upchurch indicated he had received correspondence from the Greater Raleigh Chamber of Commerce requesting a one time investment of $10,000 in a campaign or advertising program relating to the City of Raleigh. He stated without objection, he would refer the request to the Law and Finance Committee. The item was so referred.

LAKEMONT LAKE - MR. CONGLETON TO CONTINUE WORK AND REPORT TO THE REAL ESTATE COMMITTEE

Mr. Upchurch indicated he and Councilman Congleton have talked many times about the concern over Lakemont Lake. He stated he would suggest that Mr. Congleton work with the people who have been contacting him and who have an interest in the Lake and report his findings to the Real Estate Committee. Without objection, this was agreed to.

DOROTHEA DIX PROPERTY - COMMENTS RECEIVED

Mr. Upchurch indicated recently the City Council authorized sending a resolution to various people supporting the efforts of the Wake County Commissioners to keep admission beds open and available for Wake County residents. He indicated he had received a letter from Representative Aaron Fussell, who supported the resolution and indicated he would do his best. He indicated he wanted to publicly convey Representative Fussell's support.

GREENWAY COMMISSION - MR. CONGLETON APPOINTED AS LIAISON; MR. CONGLETON RELIEVED OF LIAISON ACTIVITIES WITH RSVP

Mr. Upchurch indicated at the last meeting, he appointed Mr. Congleton as the Council liaison with the RSVP. He indicated because of Mr. Congleton's professional work, he has asked that he be assigned another role and be relieved from the liaison with RSVP, therefore, he would appoint Mr. Congleton as liaison on the Greenway Commission. Without objection, the appointment was made.

COUNCIL WEEKEND WORK SESSION - COMMENTS RECEIVED

Mayor Upchurch presented an outline of the various items that would be discussed at the February 10 and 11 Council Workshop. He indicated this is just a listing of the various items and it would be refined and an Agenda made up at a later date. Brief discussion took place, with Mr. Calloway indicating he wanted to make sure that the item relating to Southeast Raleigh has a considerable amount of time devoted to it and that it be discussed as a separate entity. Brief discussion took place on the weekend Work Session with it being pointed out this was just a listing of the items to be discussed, with Mr. Upchurch indicating he would bring back an Agenda that includes time schedules, etc., at the next meeting. The item was received as comment.

REQUEST AND PETITIONS OF CITIZENS - REVEREND REATHER WHITLEY ADDED

Ms. Babb indicated as a point of personal privilege, she would like to request that Reverend Reather Whitley be placed on the Agenda tonight under Request and Petitions of Citizens indicating that she had requested that she be allowed to speak. Without objection, Reverend Whitley was added to the Agenda.

PRIVILEGE LICENSE - LUTHER'S - APPROVED

Mr. Congleton indicated there is a person in the audience seeking permission for a privilege license approval. He indicated the application was submitted to the City but because of the holiday schedule, it did not make it to the Agenda. He indicated this relates to Luther's BBQ. City Manager Benton indicated the application is for Luther's BBQ, 4215 Wake Forest Road and the portion that requires City Council approval is a live entertainment Class II entertainment center. He indicated Inspections and Police Reports indicate approval. Mr. Congleton moved approval of the privileged application as outlined. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

FIELD TRIPS - REFERRED TO ADMINISTRATION

Mrs. Cates indicated she has a need to do some field trips as it relates to City facilities. She stated she would like to know more about the Public Works Department, Parks and Recreation, Public Utilities, etc. She questioned if she could ask Administration to make some arrangements to make field trips to various facilities. Mr. Walters indicated he felt it was a good idea, as some other Council members may want to do the same thing. He indicated he felt employees enjoying seeing the Council members come by their facilities. Mrs. Cates indicated she was thinking maybe she could sit down with members of various departments and see what each of them do and then maybe go on field trips to see some of the facilities. Without objection, the item was referred to Administration to work with various Council members.

COUNCIL MEMBERS - BLOCK AND CALLOWAY EXCUSED FROM NIGHT PORTION OF THE MEETING

Mr. Calloway and Mrs. Block indicated they would like to be excused from the night portion of the Council meeting. Mayor Upchurch indicated Mrs. Block had undergone

eye surgery recently and it was difficult for her to be here at night and Mr. Calloway had another commitment. Without objection, Mr. Calloway and Mrs. Block were excused from the night meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at 2:20 p.m. to be reconvened at 7:00 p.m.

Gail G. Smith
City Clerk

ayw/cc1

The City Council of the City of Raleigh met in regular reconvened meeting on Tuesday, January 3, 1984, at 7:00 p.m., in the City Council Chambers of the Municipal Building with the following present:

Mayor Upchurch, Presiding
Ms. Babb
Mrs. Cates
Mr. Congleton
Mr. Keller
Mr. Walters

Mrs. Block - Absent and Excused
Mr. Calloway - Absent and Excused

Mayor Upchurch called the meeting to order and the following matters were discussed with action taken as shown.

REQUESTS AND PETITIONS OF CITIZENS

WATER AND SEWER - EAST QUADRANT OF RALEIGH AREA - REFERRED TO PUBLIC WORKS COMMITTEE

B. Kenneth Martin was at the meeting indicating he represented a group of investors and developers who have put together a tract of land bounded by the Neuse River, Foxcroft, Southall and New Hope Road. He indicated there is quite a bit of vacant property in this section of the City and it could use some growth and accommodate some of the growth occurring in Raleigh but utilities for the area are needed. He indicated they have a package plant approved for the area and they can put in wells but you are talking about a lot of expense going this way. He indicated before they proceed with this type facility, they decided to come to the City to see if City services could be made available. He indicated they have been working with the staff on approximate costs and schedules of getting City services to this area. He stated, however, they are at a point that the staff advised them to come to the City Council and lay out to the City what his clients could do and determine what the City could do before the private systems are put in. He indicated they would like to explore the possibility of City services to the area, which everyone feels would be better all the way around. He stated possibly this item should be referred to a committee for detailed study. He explained water is presently at U. S. 64 - a 24 inch line - and they would have to run the water lines up New Hope and Southall Road, which the Public Utilities Director says is feasible, but sewer is the problem. He pointed out, however, it is feasible to sewer this area but is a little harder than getting water.

City Manager Benton indicated this area is within the Perry Creek/ Neuse River Basin which the City has been working on for some months in terms of developing a policy. He indicated that system would serve this area as well as the Perry Creek area, so this area would be affected by that policy. He pointed out if that policy is applied here, it would be in the City's interest to explore getting utilities to the area. He stated, all in all, he feels that it could be in the City's best interest to pursue discussion on this item. Mr. Martin indicated he was well aware of the Perry Creek policy, but he feels that this area could be served under present policies.

Mr. Walters indicated he has been pushing for development of infrastructure in this area for many years. He stated that is one of the reasons he accepted appointment to the Planning Commission some years ago to work on development of this area. He stated he feels if the City could work out something on this particular project, it would show a demonstrated desire of the City and explained that this area is within 10 minutes of downtown Raleigh and is ripe for development - the only thing that is lacking is the infrastructure. He stated he would hope that we could get this particular development in Committee and try to cooperate with the interested parties. Mrs. Cates indicated this seems like a Public Works Committee item and moved that it be referred there. Mayor Upchurch indicated, without objection, the discussion on water and sewer for the east quadrant of Raleigh was referred to Public Works Committee.

ENCROACHMENT - HILLSBOROUGH STREET/OBERLIN AVENUE - APPROVED CONDITIONALLY

Jerry A. Cook was at the meeting indicating he represented Darryl's Restaurant, Inc. He indicated they are in the process of doing some renovation and expanding of the Darryl's Restaurant located on Hillsborough Street and doing some improvements at the corner of Hillsborough and Oberlin Roads. He indicated in doing these renovations, they want to improve the outside appearance and one of the things they need is to add awnings which would encroach over the sidewalk. Therefore, he was at the meeting to request permission to encroach over the sidewalk for awnings in this location.

City Manager Benton indicated Administration has no objection to the encroachment with the understanding that all ordinances would be complied with, building codes would be complied with and the restaurant is approved for a special use request that has to be granted by the Board of Adjustment because of the nature of their expansion. City Attorney McCormick indicated Hillsborough Street is a State system street, so they would need to have concurrence from the State also. Mr. Cook indicated he had been in touch with the State DOT and was aware of those requirements and Darryl's is willing to comply with all applicable zoning and building codes. Mr. Walters questioned if they intend to keep the drug store appearance at the corner with Mr. Cook pointing out they do plan to keep some of the drug store fixtures, tile floor, etc. Mr. Keller moved approval of the encroachment subject to conditions

outlined by Mr. Benton. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

ENCROACHMENT - LEWIS FARM ROAD - WITHDRAWN

Robert A. Cerwin had requested permission to retain shrubbery at 2501 Lewis Farm Road, which extends over the curb line. Mayor Upchurch indicated he had talked with Dr. Cerwin and it is felt that Dr. Cerwin has something worked out so he would withdraw this item from the Agenda with the understanding he may come back at a later date.

UTILITIES EXTENSION - U.S. 64 EAST - REFERRED TO PUBLIC WORKS COMMITTEE

LaMarr Bunn was at the meeting representing Southern Associates and Wendy's on U.S. 64 East. He indicated he has been working with Thomas G. Coffey and staff on this subject pointing out they would like to request that they be allowed to extend and tap the City's water and sewer mains outside the City. He indicated Mr. Coffey has been sick and could not be at the meeting. He indicated the land they are talking about is the old Wayside Nursery - the Clarence Steppe property, which is adjacent to Wendy's on U.S. 64 East. He stated what they are requesting is to be able to extend the sewer in Maitland Drive and extend it up to serve these two sites. He indicated Wendy's is presently on a septic tank and are experiencing problems. He explained Public Utilities Director Butler was on vacation last week and due to this and Mr. Coffey's sickness, they had not been able to get together with the City staff. He stated, however, they have scheduled a meeting for Monday, January 9, at 2:30 p.m. and he would request that this item be referred to a committee to give him and the City staff time to get together and look at several alternatives. He explained they had contacted some adjacent property owners who are interested in participating and getting the sewer to this area but the cost is prohibitive. He explained some alternatives for serving the area.

City Manager Benton indicated the City staff would be working with Mr. Coffey and Mr. Bunn on this matter. He pointed out there is a larger area of concern, pointing out this area does have some unique sanitary sewer problem. He indicated he would like to see action taken that would contribute to the overall solution. He pointed out part of this area drains back to the Crabtree Basin and part of it is inside the City but the owners cannot develop because of the need for pumping of the sanitary sewer. He indicated he did not know if we could achieve a solution to this particular problem that would contribute to the solution of the overall problem but they would like an opportunity to study it and could bring a recommendation to the appropriate committee. Brief discussion took place with Mr. Walters suggesting that this be placed in the appropriate committee and as soon as Administration is ready, they could bring a report to that committee. Without objection, the item was referred to Public Works Committee.

EMERGENCY SHELTERS AND GROUP CARE FACILITIES - COMMENTS RECEIVED

Reverend Reather Whitley, 2916 Little John Road, was at the meeting and indicated she wanted to talk about City ordinances and wanted to tell the Council a little about Lydia Baptist Emergency Home. She indicated since July 11, 1983, that she, along with members of the Advisory Board, have gone before the Board of Adjustment twice, the Law and Finance once and are scheduled to appear before the Board of Adjustment again relative to Lydia Baptist Emergency Home. She indicated she has had to do this all because of ordinances that threaten to close the home. She pointed out the home is a group care facility that offers emergency shelter and food to anyone regardless of age, creed, color, national origin, etc. She indicated the home is located at 519 South Blount Street which is an area where the crime rate is high and unemployment is high. She indicated the USDA has designated them a congregate feeding agency, pointing out this is the only black owned and operated facility of its kind in Raleigh. She indicated it is also the only place in Raleigh that will let someone stay over two nights in any time period without having to pay. She indicated if a person could walk to their door, they can be fed. She stated they do not adhere to one night in thirty day requirements, pointing out there is no time limit for length of stay of the people. She indicated every case and every need is different and we are dealing with human beings. She stated she was very concerned about the two people who recently died a horrible, cruel death and she feels that the City Council and she are partly responsible for those deaths. She indicated she feels that she is partly responsible because she hasn't stepped forward and expressed concern about these ordinances and she feels that Council is responsible because they let the ordinances go into effect. She indicated those same ordinances that say there is a radius requirement for locations of these facilities let another agency establish itself 3½ blocks from her facility. She referred to a recent newspaper article which indicated the City is endorsing a project which would allow another shelter and if the shelter that the City is supporting is allowed to operate, it will be less than one block from Lydia Emergency Home. She indicated if Lydia is forbidden from operating in the wrong zone, how can the City allow another agency to operate there. She questioned how could we allow humans to lay in the street and die, pointing out the whole of Raleigh is upset because of this and she feels it is because no one has made a fuss. She indicated it is true our society has few places for the poor, lonely and destitute but they are part of our society and there is a lot that could be done to help. She pointed out if they are forced to close Lydia Emergency Home, it remains to be seen what will happen to these people. She questioned how the Council could pave the way for another agency to establish itself when they are not going to be allowed. She referred to the various ordinances that have been adopted by the Council and called attention to the latest one adopted and the last sentence

which indicated that this provision is intended to protect established centers. She pointed out in 1977 there was an ordinance that says the same thing and at that time there were only two such centers in Raleigh and everyone is aware of who she is talking about. She indicated just because of this provision, there is a wall being placed around these two facilities and they are becoming monopolies and they can feed and shelter who they please and if she is forced to close her facility, then these two monopolies would continue to do the same thing and that is choose and pick who they want to serve and the poor, destitute, unfortunate human beings will have to continue living in the street.

Mayor Upchurch indicated he believes the City Council has a passionate desire to address the situation. He pointed out the Human Resources and Human Relations Advisory Committee will be meeting tomorrow and one of the charges is to look at this situation and hopefully, come up with some suggestions. He indicated it is very unfortunate that we had these two deaths, however he felt that the Police had done everything they could to keep such an unfortunate circumstance from happening. He indicated, as he understands it, Reverend Whitley's case is before the Board of Adjustment and will be addressed next week. Ms. Babb pointed out there are several different kinds of facilities and she is sure it is confusing as to which facility is allowed in what zone. City Attorney McCormick indicated Lydia Emergency Home is a group care facility, not an emergency home as defined by our ordinances. Discussion took place as to what is being requested before the Board of Adjustment with it being pointed out there are three alternatives - the Board of Adjustment grant a waiver or the Council would have to change ordinances relating to group care facilities or Lydia Emergency Center would have to move. Ms. Babb indicated she is concerned as we do not want to have ill feelings between the agencies, as the City needs all of the different agencies. She stated she feels we need to have some options, with Mr. Congleton pointing out that there are four different ordinances relating to different type facilities, however, the ordinances act independently. Mayor Upchurch expressed appreciation to Reverend Whitley for her concern in bringing the item before Council.

PUBLIC NUISANCE COST CONFIRMATION - 2902 LIGON STREET - RESOLUTION RESCINDING ACTION ADOPTED

Housing Inspections Supervisor Bartholomew indicated at the last meeting, he requested the Council to correct Resolution 1980-162 relating to 2902 Ligon Street to the end that the cost would be confirmed in the name John S. Lawrence. He indicated he had been advised by the County that, due to a mix up in the Register of Deed's Office, the property belonged to Mr. Lawrence rather than Mr. Morgan, the name it was originally confirmed in. He stated, however, now the County has advised him that that is not true. Therefore, he would like to ask the Council to rescind the action of changing the abatement cost to the name of John S. Lawrence and leave it as it was originally confirmed in the name of Bealie Morgan. Ms. Babb moved that the Council adopt a resolution rescinding the action as outlined by Mr. Bartholomew. Her motion was seconded by Mr. Keller and put to a vote which passed unanimously. The Mayor ruled the motion adopted. See Resolution 426.

RESOLUTION NO. 1984-426

A RESOLUTION TO REPEAL RESOLUTION 1983-420

WHEREAS, on December 20, 1983, the City Council adopted Resolution 1983-420 relative to cost confirmed by Resolution 1980-162 and put the cost for abating nuisances at 2902 Ligon Street in the name of John S. Lawrence.

WHEREAS, the City Council now finds that John S. Lawrence is the incorrect owner of the property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Resolution 1983-420 be repealed in its entirety.

Adopted: 1/3/84

Effective: 1/3/84

MATTERS SCHEDULED FOR PUBLIC HEARING

PUBLIC NUISANCE COST CONFIRMATION - 1100 RAINWOOD LANE - HEARING - RESOLUTION ADOPTED

This was a hearing to adopt a resolution confirming costs in the amount of $175 for abating a public nuisance at 1100 Rainwood Lane in the name of MAR, Inc. The Mayor opened the hearing, no one asked to be heard thus the hearing was closed. Mr. Congleton moved adoption of a resolution confirming charges as outlined. His motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Resolution 427.

PUBLIC NUISANCE COST CONFIRMATION - 516 NORTH PERSON STREET - RESOLUTION ADOPTED

During the December 20, 1983 Council meeting, a hearing was held to consider adopting a resolution confirming the cost in the amount of $190 for abating public nuisances a t 516 North Person Street in th name of the Zoie Perry Russell, Heirs. It was agreed to continue this hearing until this meeting in order to give Administration an opportunity to further investigate the matter and to receive a recommendation from the Historic Properties Commission. Mr. Upchurch indicated that he had asked that this item be deferred, however, he has found that the concern relates to the house

and this is a request to confirm costs for abating public nuisances not relating to the house. The Mayor opened the hearing to the public, no one asked to be heard, thus the hearing was closed. Ms. Babb moved adoption of a resolution confirming costs as outlined. Her motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Resolution 427.

RESOLUTION NO. 1984-427

A RESOLUTION ASCERTAINING AND COMPUTING THE TOTAL COST OF ABATING UNSAFE BUILDING NUISANCES IN THE CITY OF RALEIGH, CONFIRMING THE SAME AND ASSESSING THE COST OF ABATEMENT AGAINST THE PROPERTY ON WHICH THE NUISANCE EXISTED

WHEREAS, the City Council of the City of Raleigh, pursuant to Chapter 160-A of the North Carolina General Statutes, and Sections 2.14(33), 2.14(51), 2.14(46) and Sections 6.35 and 6.36 of the Charter of the City of Raleigh (Chapter 1184 of the 1949 Session Laws of North Carolina as amended) has the authority to prevent, abate and declare unlawful nuisances and to make the cost of said abatement a lien against the premises where the nuisances existed; and

WHEREAS, pursuant to said Statutes the City Council of the City of Raleigh has adopted Part 10, Chapter 6, Article D of the Code of the City of Raleigh, relating to the abatement of unsafe building nuisance; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH

Section 1. That the unsafe building nuisances as set out herein have been abated at the cost set out herein, pursuant to the Code to the City of Raleigh and more specifically, Part 10, Chapter 6, Article D.

Section 2, That the City Council of the City of Raleigh hereby confirms the cost of abatement of the nuisances set out herein, pursuant to General Statutes above referred to, and makes the same a lien against the premises as provided in Part 10, Chapter 6, Article D of the Code of the City of Raleigh.

PROPERTY OWNER	LOCATION	COST OF ABATEMENT
M. A. R., Inc.	1100 Rainwood Ln. Lot 226, Map 303 0022334	$175.00
Zoie Perry Russell c/o Ms. GLadys Perry	516 North Person St. Lot 3, Block G-102, Map G-17 0061723	190.00

Adopted: 1/3/84

ADJOURNMENT

There being no further business, Mayor Upchurch announced the meeting adjourned at 7:40 p.m.

Gail G. Smith
City Clerk

ayw/cc2